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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 17

Application Number: 09/193,564
Filing Date: November 17, 1998
Appellant(s): Jay Paul Drummond et al.

MAILED

DEC 2 6 2006

GROUP 3600

Ralph E. Jocke
For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed 01/29/2002.

(1)   *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2)   *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or

be directly affected by or have a bearing on the decision in the pending appeal is contained in the

brief.

(3)   *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4)   *Status of Amendments After Final*

No amendment after final has been filed.

(5)   *Summary of Invention*

The summary of invention contained in the brief is correct.

(6)   *Issues*

The appellant's statement of the issues in the brief is correct.

(7)   *Grouping of Claims*

Appellant's brief includes a statement that claims 1-20 do not stand or fall together and

provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8)   *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9)   *Prior Art of Record*

The following is a listing of the prior art of record relied upon in the rejection of claims

under appeal.

Anderson et al.   01/1998

Zeanah et al.   08/1999

*(10)   **Grounds of Rejection***

The following ground(s) of rejection are applicable to the appealed claims:

CLAIM REJECTION – 35 USC 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action'.

A person shall be entitled to a patent llnless -

Claims 1-4, 7, 8, 10, 11, 12, 13, 14 are rejected under 35 U.S.C. 102 (e) as being

anticipated

by Anderson et al. (U.S. Pat. No. 5,706,442).

As per claims 1, 10, 11, 13, 14, Anderson discloses the system/method for accessing

recent

financial information from various financial services providers. The system is based on a

client/server

so that services are accessible from a variety of presentation tools (which is equivalent to

Applicant's

claimed invention wherein said:

providing a plurality of HTTP records accessible through an HTTP server, wherein at

least one

record includes data corresponding to operating data, wherein the operating data is

operative to

control operation of an automated transaction machine (see., :g 2, col 2, lines 21-47),.

accessing the one record data through the server with a computer in an automated

transaction

machine (see., col 2, lines 20-25, lines 33-39, lines 51-67),

loading data corresponding to the operating data in a memory of the machine (see., Fig 2,

col 4, lines

45-67, databases or memory).

As per daims 2, 3, Anderson discloses the claimed method wherein a plurality of HTML

documents are provided which are accessible through the server, and wherein the

plurality of records

include the plurality of documents, and wherein step (b) comprises accessing a document

with a

browser operating in a computer of the automated banking machine (or financial

information) see.,

col 4, lines 45-67).

As per claim 4, Anderson discloses the claimed method wherein prior to step ((7 further

comprising the step of providing to the server data representative of an identity of the

machine,

wherein the record data accessed in step (b) is accessed responsive to the identity data

(see., col 3,

lines 10-16).

Claim Rejections – 35 USC 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or

described as set forth in section

102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the

subject matter as a whole would have been obvious at the time the invention was made to

a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negatived

by the manner in which the

invention was made.

Claim 5, 6, 9, 15 and 16 are rejected under 35 U.S.C. 10 3(a) as being unpatentable over

Anderson et al. (U.S. Pat. No. 5,706,442) in view of Zeanah et al. (U.S. Pat. No.

5,933,816).

As per claims 5, 6, 9, 15 and 16 Anderson substantially discloses the claimed

method/system

as stated in claim 1 above.

Though he does teach an application programming interface for

communication between various components see., col 3, lines 33-51, but he fails to

explicitly disclose

that the operating data includes applets. However, Zeanah discloses a financial institution

to provide

financial services to a plurality of remote devices using FTP, picture formats, applets

types, an active-

X code and Java code (see., col 19, lines 26-33, col 22, lines 26-30, col 28, lines 41-48,

abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention

was made to modify the on-line financial services of Anderson by including an applet as

taught by

Zemnah because it would provide a delivery system and method that are capable of

supporting existing

remote devices (see., Zeanah, col 5, lines 1-3).

Claims 7, 8 and 12 are system's claims that contain limitations similar to claim 1,

therefore are

rejected by the same rationale.

Claims 1 7-20 are rejected under 35 U.S.C. 102 (e) as being anticipated by Anderson et al.

(U.S. Pat. No. 5,706,442).

As per claims 17-20 Anderson discloses the system/method for accessing recent financial

information from various financial services providers. The system is based on a

client/server so that

services are accessible from a variety of presentation tools (which is equivalent to

Applicant's claimed

accessing the at lexqt one document through the server with a computer in an automated

transaction

machine, wherein the automated transaction machine includes a browser, wherein the at

least one

document is accessed with the browser (see., col 2, lines 20-25, lines 33-39, lines 51-67,

browse

item 1, and financial services providers or cash dispenser)

loading data corresponding to the operating data in a memory of the machine ; and

operating the at

least one transaction function device of the automated transaction machine responsive to

the

operating data (see., fg 2, col 4, lines 45-67, databases or memory).

The rejection to claims 1-4, 7, 8, 10 and 1 1-14 under 35 U.S.C. 102 (e) as being

anticipated

by Anderson et al. (U.S. Pat. No. 5,706,442) and to claims 5, 6, 9, 15 and 16 under 35

U.S.C. 103

(a) as being unpatentable over Anderson in view of Zeanah et al. (U.S. Pat. No.

5,933,816) as set

forth the Office action mailed on 4/20/2001 is maintained.

providing a plurality of documents accessible through an HTTP server, wherein at least

one

document includes data corresponding to operating data, wherein the operating data is

adapted to

control operative to control operation of at least one transaction function device of an

automated

transaction machine (see., see 2, col 2, lines 21-47).

accessing the at least one document through the server with a computer in an automated

transaction

machine, wherein the automated transaction machine includes a browser, wherein the at

least one

document is accessed with the browser (see., col 2, lines 20-25, lines 33-39, lines 51-67,

browse

item 1, and financial services providers or cash dispenser);

loading data corresponding to the operating data in a memory of the machine ; and

operating the at

least one transaction function device of the automated transaction machine responsive to

the

operating data (see., fig 2, col 4, lines 45-67, database or memory).

The rejection to claims 1-4, 7, 8, 10 and 1 1-14 under 35 U.S.C. 102 (e) as being

anticipated

by Anderson et al. (U.S. Pat. No. 5,706,442) and to claims 5, 6, 9, 15 and 16 under 35

U.S.C. 103

(a) as being unpatentable over Anderson in view of Zeanah et al. (U.S. Pat. No.

5,933,816) as set

forth the Office action mailed on 4/20/2001 is maintained.

(11)   Response to Argument

In response to claims 1, 7, 8, 10, 11, 12, 13, 14, and 17-20, Applicant argues that the prior art of

record (Anderson) does not teach or suggest:

a. AAt least one HTTP record which includes data corresponding to operating data, where the

operating data is operative to control operation of an automated transaction machine. However,

this limitation is disclosed by Anderson in col 2, lines 21-47, specifically wherein said customer

or user pin near3 credit near3 card) that on-line interfaces for use by applications, financial

service providers, Web (HTTP) servers, and other clients to obtain and manipulate financial

information (such as banks stock brokerages, credit card companies and so on) for users of the

system..... . Moreover, a HTTP is for viewing a specific web page or to view a specific operating

data at an automated transaction machine.

b. Accessing a record data through the server with a computer in an automated transaction

machine. This limitation is disclosed by Anderson in col 2, lines 20-25, lines 33-39, lines 51-67,

please note that the HTTP of Anderson does access financial information or transaction machine.

c. A loading data corresponding to operating data in a memory of the machine. The Examiner respectfully asserts, however, that Anderson discloses this limitation in col 4, lines 45-67, fig 2 databases or memory.

In response to claims 2-4, Applicant argues that Anderson does not teach or suggest:

d. Accessing a document with a browser operating in a computer of the automated transaction machine (or financial information). However, the Examiner respectfully disagrees with this assertion since Anderson discloses this limitation in col 2, lines 61-67, item 10, please note that on-line financial service information can also be interpreted as an ATM.

In response to claims 5, 6, 9, 15, 16, Applicant argues that neither Anderson nor Zeanah does not teach or suggest: Aoperating data that includes applets or java. The Examiner respectfully disagrees with Applicant's representative because this limitation is disclosed by Zeanah in col 19, lines 26-33, col 22, lines 26-30, col 28, lines 41-48, and also in the abstract.

For the above reasons, it is believed that the rejections should be sustained.

<div style="text-align: right">Respectfully submitted,</div>

Pierre Eddy Elisca

Primary Patent Examiner

August 31, 2006

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